



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2401

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

30 September 13, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**CALIFORNIA ENVIRONMENTAL REPORTING SYSTEM ACCEPT GRANT FUNDS FROM THE
STATE OF CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY TO IMPLEMENT THE
CALIFORNIA ENVIRONMENTAL REPORTING SYSTEM AND APPROVE AN APPROPRIATION
ADJUSTMENT RECOGNIZING GRANT FUNDING
(ALL DISTRICTS) (4 VOTES)**

SUBJECT

The attached resolution will allow the Consolidated Fire Protection District (District) to apply for and accept grant funding from the State of California in the amount of \$652,904 to fund the implementation activities required for the California Environmental Reporting System (CERS) mandated by Assembly Bill (AB) 2286 (Feuer) of 2008, and approval of the appropriation adjustment recognizing grant funding. This bill became law on January 1, 2009.

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE
CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY:**

1. Approve and adopt the attached resolution to apply for and accept grant funding in the amount of \$652,904, from the California Environmental Protection Agency (CalEPA) to implement CERS. This grant will fund the District's implementation of the CERS program until March 2013.
2. Authorize the Fire Chief or designee to sign any documents required by the CalEPA for administration and management of this grant.
3. Find that this action is exempt from the California Environmental Quality Act (CEQA).
4. Approve the attached Appropriation Adjustment (Attachment A), recognizing \$253,000 in grant funding, for Fiscal Year 2011-2012 in the District's Health Hazardous Materials Unit's Services and

Supplies appropriation in the amount of \$235,000 and Salaries and Employee Benefits appropriation in the amount of \$18,000.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

AB 2286 requires that all regulated businesses and Unified Program Agencies (UPA) use the Internet to process required Unified Program information currently filed using paper forms by January 1, 2013. This includes facility data regarding hazardous materials regulatory activities, chemical inventories, underground and aboveground storage tanks, and hazardous waste generation. It also includes UPA data such as inspection and enforcement actions. The recommended action would result in the following benefits to the Los Angeles County Certified Unified Program Agency (LACoCUPA):

- Provide the District with adequate funding to implement CERS within its jurisdiction;
- Elimination of annual paperwork associated with UPA to State reporting;
- More accurate facility data that is readily available for emergency response and planning purposes;
- Improved access to Hazardous Materials Business Plan data for first responders;
- Provide a standardized chemical database to reduce the amount of work by agency and regulated community;
- Enhanced UPA data management systems (Envision Connect) that can be the foundation of electronic field inspection system.

Approval of the recommendations now before your Board will provide the District with the necessary start-up costs to implement CERS during the grant performance period for Fiscal Year 2011-2012. The appropriation adjustment will provide adequate funding to address the expenditures noted below:

- Services and Supplies for software, hardware, training supplies, and consultant services, \$235,000.
- Salaries and Employee Benefits for overtime spent on training of regulated businesses, \$18,000.

Implementation of Strategic Plan Goals

Approval of the recommended action is consistent with the County's Strategic Plan Goal #1, Service Excellence, and Goal #4, because it supports further consolidation of the environmental programs under the CUPA, and it takes advantage of grant funding from the State of California for the initial implementation of the CERS Program.

Implementation of Strategic Plan Goals

N/A

Strategic Asset Management Principles Compliance

N/A

FISCAL IMPACT/FINANCING

Upon approval of the grant, the District will receive 25% of the total grant allocation in advance (\$163,226) for the implementation of the program. The remaining grant funds will be reimbursed to the District for implementation expenditures. The total grant amount of \$652,904 will not be exceeded in the implementation. There is no impact on net County cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

AB 2286 sets January 1, 2013, as the deadline for businesses and UPAs to report required information electronically. The legal requirements for reporting are derived from State law and regulations. Health and Safety Code, Chapter 6.11, Section 25404(e) (1) & (2) and California Code of Regulations (CCR) Title 27, Division 1, Subdivision 4, Chapter 1, Section 15185(a) establish the requirement that UPAs must collect and submit all data defined in the CCR Title 27 Data Dictionary. With the implementation of electronic reporting, all of this information will be required to be accepted electronically from businesses and reported electronically to the State. LACoCUPA is responsible for the implementation of the CERS program for its regulated community as a CUPA and as a Participating Agency to the City of Los Angeles, City of Santa Monica, and County of Orange.

The CalEPA has been collecting an electronic reporting surcharge of \$25 per year through the UPA's permit fees since July 1, 2009. These fees will be used in part to fund grant applications from the CUPA's to implement CERS activities starting January 1, 2010 to March 31, 2013.

ENVIRONMENTAL DOCUMENTATION

The acceptance of the grant and its administration are exempt from CEQA, pursuant to Section 15061(b) (3) of the CEQA guidelines because they will not have a significant effect on the environment.

CONTRACTING PROCESS

N/A

IMPACT ON CURRENT SERVICES (OR PROJECTS)

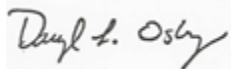
Existing resources will be utilized initially to implement the CERS program. Some minimal impact on existing projects may be expected due to resource reallocation to the new mandated program. Program costs during the first three years of implementation will not exceed the grant's authorized funding level.

CONCLUSION

Upon approval by your Board, please electronically submit a Statement of Proceedings to the following:

Consolidated Fire Protection District of Los Angeles County
Business Operations
Executive Office
Acting Chief Deputy David R. Richardson
David.Richardson@fire.lacounty.gov

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Daryl L. Osby", is written over a light gray rectangular background.

DARYL L. OSBY
FIRE CHIEF, FORESTER & FIRE WARDEN

DLO:yh

Enclosures

c: William T Fujioka, Chief Executive Officer
Sachi A. Hamai, Executive Officer
Auditor-Controller
County Counsel

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES
AUTHORIZING THE FIRE CHIEF OR HIS REPRESENTATIVE TO ENTER INTO AN
AGREEMENT WITH THE STATE OF CALIFORNIA TO ACCEPT GRANT FUNDING FOR
THE IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL REPORTING SYSTEM**

WHEREAS, Assembly Bill 2286 (Feuer) was enacted into law to implement the California Environmental Reporting System (CERS), requiring the electronic reporting of data from regulated businesses and Unified Program Agencies (UPA);

WHEREAS, the Consolidated Fire Protection District of Los Angeles County was certified by the State of California as a local Certified Unified Program Agency (CUPA) and as a Participating Agency (PA) to the City of Los Angeles CUPA, City of Santa Monica CUPA, and County of Orange CUPA;

WHEREAS, the Los Angeles County Certified Unified Program Agency (LACoCUPA) is responsible for implementing CERS to its regulated business community effective January 1, 2013;

WHEREAS, the California Environmental Protection Agency (CalEPA) is providing grant funding for UPAs to pay for the initial costs of implementing the CERS program locally. The total amount available to LACoCUPA totals \$652,904 and is allocated as follows: \$592,904 as the LACoCUPA; \$20,000 as a PA to the City of Los Angeles CUPA; \$20,000 as the PA to the City of Santa Monica CUPA; and \$20,000 as the PA to the Orange County PA;

WHEREAS, twenty-five percent (\$163,226) of the total grant amount will be provided initially upon approval of the grant and the remaining seventy-five percent (\$489,678) will be reimbursed for expenses incurred from January 1, 2010 through March 31, 2013;

WHEREAS, the LACoCUPA will be reimbursed for approved expenses incurred during the period of performance of the grant (1/1/2010 through 3/31/2013). Invoices will be submitted to the State quarterly along with the LACoCUPA transition plan status report to request reimbursement.

WHEREAS, the ongoing support and maintenance costs of implementing CERS incurred after March 31, 2013 will be included in the annual budget process in determining fees charged to the regulated business.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Los Angeles, acting as the governing body of the Consolidated Fire Protection District of Los Angeles County, hereby authorizes the Fire Chief of the Consolidated Fire Protection District of Los Angeles County or his designee to execute and amend the grant agreements with the California Environmental Protection Agency for the implementation of the California Environmental Reporting System, verifying invoices are accurate, and certifying Los Angeles County is in compliance with all applicable laws and regulations.

The foregoing resolution was on the 13th day of September, 2011, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of the Consolidated Fire Protection District of Los Angeles County and other authorities for which said Board so acts.



APPROVED AS TO FORM:

SACHI A. HAMAI
Executive Office-Clerk of the
Board of Supervisors
of the County of Los Angeles

By: Lachelle Smitherman

DEPUTY

SCOTT KUHN
County Counsel

By _____

Deputy

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPT'S .
NO. 390-02

DEPARTMENT OF FIRE

August 9, 2011

AUDITOR-CONTROLLER:

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

FY 2011-12
4 - VOTESOURCES

HEALTH HAZ-MAT BUDGET UNIT
DA1-FR-88-8831-40100-40177
STATE GRANT - \$253,000
INCREASE REVENUE

USES

HEALTH HAZ-MAT BUDGET UNIT
DA1-FR-1000-40100-40177
SALARIES & EMPLOYEE BENEFITS - \$18,000
INCREASE APPROPRIATION

HEALTH HAZ-MAT BUDGET UNIT
DA1-FR-2000-40100-40177
SERVICES & SUPPLIES - \$235,000
INCREASE APPROPRIATION

SOURCES TOTAL: \$ 253,000

USES TOTAL: \$ 253,000

JUSTIFICATION: TO RECOGNIZE GRANT FUNDS FROM THE STATE OF CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY AND APPROPRIATE THE FUNDS IN THE DISTRICT'S HEALTH HAZ-MAT BUDGET UNIT FOR THE IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL REPORTING SYSTEM.

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

AUTHORIZED SIGNATURE:

Les Seidman
LES SEIDMAN, ASSISTANT CHIEF
FINANCIAL MANAGEMENT DIVISION

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

30

SEP 13 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

REFERRED TO THE CHIEF
EXECUTIVE OFFICER FOR--

☐

ACTION

☒

RECOMMENDATION

☒

APPROVED AS REQUESTED

☐

APPROVED AS REVISED

AUDITOR-CONTROLLER

BY

Karen Shukuma

CHIEF EXECUTIVE OFFICER

BY

Shel W. K.

B.A. NO. 004

*July 19 20 11**July 19 20 11*